

CITY OF TIGARD, OREGON
LOCAL CONTRACT REVIEW BOARD
RESOLUTION NO. 07-01

A RESOLUTION TO APPROVE FINDINGS FOR AN EXEMPTION FROM COMPETITIVE BIDDING UNDER PUBLIC CONTRACTING RULE 10.110 FOR THE HITEON CREEK RIPARIAN ENHANCEMENT PROJECT AND AWARD A CONTRACT FOR THIS PROJECT TO DEVELOPER DOUGLAS A. FRY

WHEREAS, on June 12, 2007 the City Council approved the FY '07/'08 budget which allocated \$185,000 to construct the Hiteon Creek Riparian Enhancement project; and

WHEREAS, the City has the opportunity to work with a developer on the project and would realize cost savings through such a partnership; and

WHEREAS, under Tigard Public Contracting Rule 10.110, the Local Contract Review Board may exempt a particular contract from formal competitive process requirements; and

WHEREAS, an exemption for this particular contract would allow the City to directly contract with the developer and realize the cost savings; and

WHEREAS, on August 14, 2007, the Local Contract Review Board, conducted a hearing to take comments on draft findings as required by Public Contracting rule 10.110; and

WHEREAS, the Local Contract Review Board finds that the construction of the Hiteon Creek Riparian Enhancement Project may be best accomplished through a direct contract with the Tigard Business Center developer Douglas A. Fry.

NOW, THEREFORE, BE IT RESOLVED by the Tigard Local Contract Review Board that:

SECTION 1: The findings shown in Attachment A are hereby adopted.

SECTION 2: An exemption is granted from competitive bidding under Public Contract Rule 10.110 for the Hiteon Creek Riparian Enhancement project and the project will be constructed through a direct contract with Tigard Business Center developer, Douglas A. Fry.

SECTION 3: This resolution is effective immediately upon passage.

LCRB

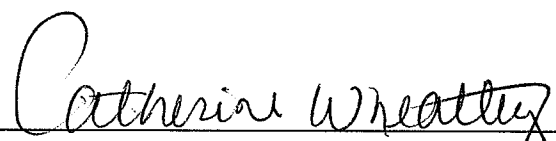
RESOLUTION NO. 07-01

PASSED: This 14th day of August 2007.



Local Contract Review Board Chair - City of Tigard

ATTEST:



Local Contract Review Board Recorder - City of Tigard

CITY OF TIGARD

HITEON CREEK RIPARIAN ENHANCEMENT PROJECT

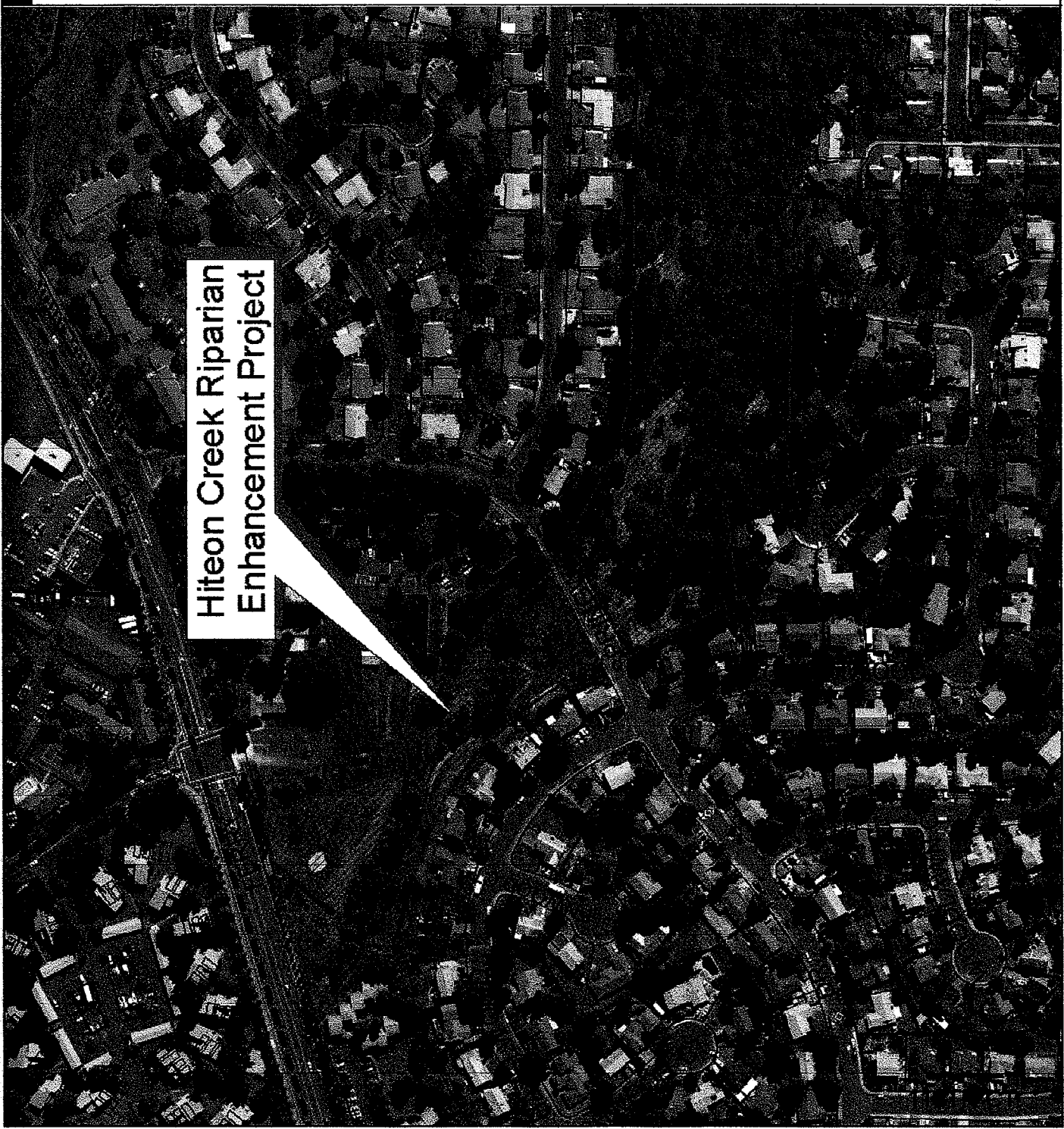
**FINDINGS FOR AN INDIVIDUAL EXEMPTION
FROM THE FORMAL COMPETITIVE BID PROCESS**

The Hiteon Creek Riparian Enhancement Project is proposed for construction through a contract with Tigard Business Center developer, Douglas A. Fry. The following are draft findings for an exemption from the competitive bidding requirement in accordance with Public Contracting Rule 10.110.

Finding: The awarding of a contract pursuant to the exemption will result in substantial cost savings to the City.

Discussion: Substantial cost savings are expected through adoption of the contract with Mr. Fry. The following are the reasons supporting the expectation.

- By allowing the Tigard Business Center developer to use portions of the restoration site for wetland and stream mitigation, the developer will finance approximately 30 percent of the project.
- The project needs to be constructed in a single phase to ensure that all grading and planting work together as designed. By allowing the developer to construct the project, he will have control of the quality required to meet his mitigation requirements. These requirements will meet or exceed the quality needed for the Hiteon Creek Riparian Enhancement project.
- Because developers often have existing relationships with construction companies, lower construction costs are possible.
- Savings are also realized since the developer will not have the expense of administering a formal public bid process and simplified construction documents will be adequate for construction.

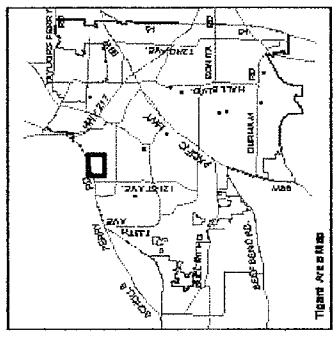


Hiteon Creek Riparian
Enhancement Project

VICINITY MAP

Hiteon Creek Riparian
Enhancement Project

Attachment 2



T-217-201



Information on this map is for general location only and
should be confirmed with the Department of Public Works
13126 SW Hill Blvd
Tigard, OR 97223
(503) 639-4111
<http://www.tigard.or.us>